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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,151

01/03/2005

Tadashi Kurita

450100-04672

5552

7590 03/25/2008  
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EXAMINER

TOPGYAL, GELEK W

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

03/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/520,151	<b>Applicant(s)</b> KURITA, TADASHI	
	<b>Examiner</b> GELEK TOPGYAL	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/3/05, 6/4/07</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-6** are rejected under 35 U.S.C. 102(b) as being anticipated by McNeely et al. (US 4,782,391).

3. **Regarding claim 1**, McNeely teaches a reproduction apparatus, characterized in comprising: frequency division means for frequency-dividing a predetermined master clock (Figs. 1-2 and col. 5, line 38 – col. 6, line 24 teaches of FCS and of SCS both of which have the same period (frequency)) for outputting a first clock of a first frequency (Figs. 1-2, col. 2, lines 46-56 and col. 6, lines 24+ teaches of divide by N circuit 112), and frequency-dividing the master clock for outputting a second clock (Figs. 1-2, col. 2, lines 46-56 and col. 6, lines 24+ teaches of divide by N circuit 114) of a second frequency different from the first frequency;

first content information output means for outputting first content information to be reproduced based on the first clock (Figs. 1-2, col. 2, lines 46-56 and col. 6, lines 24+ teaches of divide by N circuit 112, for which a primary signal is set to N=1);

second content information output means for outputting second content information to be reproduced based on the second clock (Figs. 1-2, col. 2, lines 46-56

and col. 6, lines 24+ teaches of divide by N circuit 114, which can be set to any integer value higher than 1 to reduce the size of the secondary picture); and

reproduction means for selecting either the first content information or the second content information, and reproducing the selected content information based on either the first clock or the second clock whichever corresponding to the selected content information (col. 4, lines 34-44 teaches selection of the first or second signal to be the overlaid video).

**Regarding claim 2**, McNeely teaches the claimed characterized in that at least either the first or second content information is content information having been recorded on a recording medium (col. 4, lines 16-22).

**Regarding claim 3**, McNeely teaches the claimed characterized in that at least either the first or second content information is content information having been provided from outside of the reproduction apparatus (col. 4, lines 16-22).

**Regarding claims 4 and 5**, McNeely teaches the claimed characterized in that the content information is configured to include a signal as a result of multiplexing a video signal to an audio signal and in that the reproduction means performs reproduction after combining a video signal of the first content information and a video signal of the second content information, and reproduces an audio signal of the selected content information based on either the first clock or the second clock whichever corresponding to the selected content information (The video signal of McNeely, whether from the source 1 or source 2, has audio information associated which are multiplexed from a broadcasting standard or from a storage standard. Therefore, when

the user selects which video signal is to be the "full size large picture", the audio according to the signal chosen is reproduced).

**Method claim 6** is rejected for the same reasons as discussed in apparatus claim 1 above.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references teach standard Picture-in-Picture (PIP) technology that uses sub-sampling techniques generate different size videos to be used.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gelek Topgyal/  
Examiner, Art Unit 2621

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621